MONTANA LEGISLATIVE HISTORY

Chapter 422 19 85

Bill H _____ S 409 Original bill & history ✓C

H. Committee on Business & Labor			S. Committee on Labor & Employment Relations		
Hearing Date(s)	Mar 22	✓C	Hearing Date(s)	Feb 21	✓C
	Mar 28	✓C		Feb 22	✓C
		C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

2/13	INTRODUCED		
2/13	REFERRED TO AGRICULTURE, LIVESTOCK & IRRIG.		
2/18	HEARING		
2/19	COMMITTEE REPORT-BILL DO PASS		
2/20	2ND READING PASS	49	0
2/22	3RD READING PASS	48	0
	TRANSMITTED TO HOUSE		
2/25	REFERRED TO BUSINESS & LABOR		
2/26	HEARING		
2/26	COMMITTEE REPORT-BILL CONCURRED		
2/27	2ND READING CONCURRED	76	20
2/27	ON MOTION RULES SUSPENDED PLACED ON 3RD READING THIS DAY		
2/27	3RD READING CONCURRED	78	20
	RETURNED TO SENATE		
2/27	SIGNED BY PRESIDENT		
2/27	SIGNED BY SPEAKER		
2/27	TRANSMITTED TO GOVERNOR		
2/28	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 45 EFFECTIVE DATE: 2/28/85		

SB 408 INTRODUCED BY THAYER, HALLIGAN, ET AL.
EXEMPT CAPITAL COMP. FROM DUTY TO REGISTER AS SECURITIES SALESMAN, ISSUER
BY REQUEST OF SENATE BUSINESS & INDUSTRY

2/13	INTRODUCED		
2/13	REFERRED TO BUSINESS & INDUSTRY		
2/19	HEARING		
2/19	COMMITTEE REPORT-BILL DO PASS		
2/21	2ND READING PASS	49	0
2/23	3RD READING PASS	48	1
	TRANSMITTED TO HOUSE		
2/27	REFERRED TO BUSINESS & LABOR		
3/25	HEARING		
3/25	COMMITTEE REPORT-BILL CONCURRED		
3/30	2ND READING CONCURRED	91	3
4/01	3RD READING CONCURRED	98	2
	RETURNED TO SENATE		
4/08	SIGNED BY PRESIDENT		
4/09	SIGNED BY SPEAKER		
4/10	TRANSMITTED TO GOVERNOR		
4/15	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 479 EFFECTIVE DATE: 4/15/85		

SB 409 INTRODUCED BY FARRELL
WORKERS' COMPENSATION MEDICAL EXAMS AND EXPENSES

2/13	INTRODUCED		
2/14	REFERRED TO LABOR & EMPLOYMENT RELATIONS		
2/21	HEARING		
2/23	COMMITTEE REPORT-BILL PASS AS AMENDED		
2/23	STATEMENT OF INTENT ATTACHED		
2/26	2ND READING PASS	48	0

2/27	3RD READING PASS	50	0
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO BUSINESS & LABOR		
3/22	HEARING		
3/28	COMMITTEE REPORT-BILL CONCURRED		
3/30	2ND READING CONCURRED	91	3
4/01	3RD READING CONCURRED	97	3
	RETURNED TO SENATE		
4/05	SIGNED BY PRESIDENT		
4/08	SIGNED BY SPEAKER		
4/08	TRANSMITTED TO GOVERNOR		
4/10	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 422 EFFECTIVE DATE: 10/01/85		

SB 410 INTRODUCED BY KEATING, GAGE, ET AL.
EXEMPT BOARD OF OIL AND GAS CONSERVATION FROM MEPA

2/13	INTRODUCED		
2/14	REFERRED TO NATURAL RESOURCES		
2/18	HEARING		
2/23	MINOR COMMITTEE REPORT NOT ADOPTED	22	28
2/23	MAJOR COMMITTEE REPORT ADOPTED	28	22
2/23	ADVERSE COMMITTEE REPORT		
2/25	BILL KILLED		

SB 411 INTRODUCED BY TOWE, WALDRON, STEPHENS
ADMISSION AND TREATMENT OF YOUTHS TO STATE TREATMENT CENTER AND HOSPITAL
BY REQUEST OF DEPARTMENT OF INSTITUTIONS

2/13	INTRODUCED		
2/14	REFERRED TO JUDICIARY		
2/20	HEARING		
2/22	COMMITTEE REPORT-BILL PASS AS AMENDED		
2/22	STATEMENT OF INTENT ATTACHED		
2/26	2ND READING PASS	48	0
2/27	3RD READING PASS	50	0
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO JUDICIARY		
3/22	HEARING		
3/23	COMM REPORT-BILL CONCURRED AS AMENDED		
3/26	2ND READING CONCURRED AS AMENDED	94	1
3/28	3RD READING CONCURRED	94	5
	RETURNED TO SENATE WITH AMENDMENTS		
4/02	2ND READING AMENDMENTS NOT CONCURRED	50	0
4/04	CONFERENCE COMMITTEE APPOINTED		
4/12	CONFERENCE COMMITTEE DISSOLVED		
4/12	FREE CONFERENCE COMMITTEE APPOINTED		
4/12	FREE CONFERENCE COMMITTEE REPORT		
	SENATE		
4/13	2ND READING FREE CONFERENCE COMMITTEE REPORT ADOPTED	50	0
4/15	3RD READING FREE CONFERENCE COMMITTEE REPORT ADOPTED	48	1

SENATE BILL NO. 409

INTRODUCED BY FARRELL

IN THE SENATE

February 14, 1985	Introduced and referred to Committee on Labor and Employment Relations.
February 23, 1985	Committee recommend bill do pass as amended. Report adopted.
	Statement of Intent attached.
February 25, 1985	Bill printed and placed on members' desks.
February 26, 1985	Second reading, do pass.
	Considered correctly engrossed.
February 27, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

March 7, 1985	Introduced and referred to Committee on Business and Labor.
March 28, 1985	Committee recommend bill be concurred in. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

April 1, 1985 Received from House.

April 2, 1985 Sent to enrolling.

Reported correctly enrolled.

Senate BILL NO. 409

INTRODUCED BY William E. Farrell

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO MEDICAL EXAMINATIONS AND EXPENSES OF WORKERS' COMPENSATION CLAIMANTS; AMENDING SECTIONS 39-71-605 AND 39-71-704, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-71-605, MCA, is amended to read:

"39-71-605. Examination of employee by physician -- effect of refusal to submit to examination -- report and testimony of physician -- cost. (1) (a) Whenever in case of injury the right to compensation under this chapter would exist in favor of any employee, he shall, upon the written request of his employer or the insurer, submit from time to time to examination by a physician or panel of physicians, who shall be provided and paid for by such employer or insurer, and shall likewise submit to examination from time to time by any physician or panel of physicians selected by the division or any member or examiner or referee thereof.

(b) The request or order for such examination shall fix a time and place therefor, due regard being had to the convenience of the employee and his physical condition and ability to attend at the time and place fixed. The employee shall be entitled to have a physician ~~provided and paid for by him~~ present at any such examination. So long as the employee, after such written request, shall fail or refuse to submit to such examination or shall in any way obstruct the same, his right to compensation shall be suspended. Any physician or panel of physicians employed by the employer, the insurer, or the division who shall make or be present at any such examination may be required to testify as to the results thereof.

(2) In the event of a dispute concerning the physical condition of a claimant or the cause or causes of his injury or disability, if any, the division, at the request of the claimant, employer, or insurer, as the case may be, shall require the claimant to submit to such examination as it may deem desirable by a physician or panel of physicians within the state or elsewhere who have had adequate and substantial experience in the particular field of medicine concerned with the matters presented by the dispute. The physician or panel of physicians making the examination shall file a written report of ~~his~~ findings with the division for its use in the determination of the controversy involved. The division shall pay the physician or panel of physicians for the examination and shall be reimbursed by the party who requested it."

Section 2. Section 39-71-704, MCA, is amended to read:

"39-71-704. Payment of medical, hospital, and related

LC 1603/01

INTRODUCED BILL
SB 409

services. (1) In addition to the compensation provided by this chapter and as an additional benefit separate and apart from compensation, the following shall be furnished:

(a) After the happening of the injury, the ~~employer or~~ insurer shall furnish, without limitation as to length of time or dollar amount, reasonable services by a physician or surgeon, reasonable hospital services and medicines when needed, and such other treatment as may be approved by the division for the injuries sustained.

(b) The ~~employer or~~ insurer shall replace or repair prescription eyeglasses, prescription contact lenses, prescription hearing aids, and dentures that are damaged or lost as a result of an injury, as defined in 39-71-119, arising out of and in the course of employment.

(2) ~~Fees and charges~~ A relative value fee schedule for medical, chiropractic, hospital, and paramedical services provided for in this chapter, ~~excluding hospital services,~~ shall be established annually by the workers' compensation division ~~based on the 90th percentile of usual and customary charges of the medical specialty involved based upon the most recent 6 months data as determined~~ and become effective in January ~~and July~~ of each year. The maximum fee schedule must be adopted as a relative value fee schedule of medical, chiropractic, hospital, and paramedical services, with unit values to indicate the relative relationship within each

grouping of specialties of medical charges as billed to the state compensation insurance fund during the year preceding the adoption of the schedule."

NEW SECTION. Section 3. Extension of authority. Any existing authority of the division of workers' compensation to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

Chairman Lynch resumed the chair.

CONSIDERATION OF SENATE BILL 409:

Chairman Lynch called on Senator Bill Farrell, sponsor of Senate Bill 409. SB 409 clarifies the statute regarding examination of injured workers by a physician to determine their physical condition and ability to work. Senator Farrell offered amendments. (See EXHIBIT 3)

PROPONENTS:

George Wood, Executive Secretary of Montana's Self-Insurer's Association, rose in support of the bill as amended.

Chad Smith, representing Montana Hospital Association, offered amendments to Senate Bill 409. (EXHIBIT 4)

Gary Blewett, Administrator, Workers' Compensation Division, Department of Labor and Industry, rose in support of SB 409. He did not agree with the fee schedule.

OPPONENTS:

None were present.

QUESTIONS OF THE COMMITTEE:

Senator Keating asked Mr. Blewett if he could recommend a specific relative fee schedule.

Gary Blewett said he had specific guidance for setting a specific fee schedule.

Senator Keating asked if there is one that Mr. Blewett would recommend.

Gary Blewett replied, if there were to be one that you were going to adopt, this would be the one.

Senator Farrell closed on SB 409.

The hearing was closed on SB 409.

CONSIDERATION OF SENATE BILL 402:

Chairman Lynch called on Senator Dave Fuller, sponsor of SB 402. Senate Bill 402 is a simple bill. It handles emergency situations concerning who is giving the final judgement on a workers' compensation settlement.

MINUTES OF THE MEETING
LABOR AND EMPLOYMENT COMMITTEE
MONTANA STATE SENATE

February 22, 1985

The seventeenth meeting of the Labor and Employment Committee was called to order at 2:40 p.m. on February 22, 1985, by Chairman J. D. Lynch in Room 413/415 of the Capitol.

ROLL CALL: All members were present.

EXECUTIVE ACTION ON SENATE BILL 402: Senator Manning made a motion to accept the amendments to Senate Bill 402. (Exhibit No. 1) On a voice vote the amendments passed unanimously.

Senator Keating made a motion that Senate Bill 402 Do Pass As Amended. On a voice vote, the Committee voted unanimously to accept that Senate Bill 402 DO PASS AS AMENDED.

EXECUTIVE ACTION ON SENATE BILL 409: Chairman Lynch offered amendments to Senate Bill 409. (Exhibit No. 2) On a voice vote the Committee voted unanimously to accept the amendments.

Chairman Lynch asked Gary Blewett if these amendments were fine with the Department of Labor. Gary Blewett answered yes.

Senator Keating offered amendments to Senate Bill 409. (Exhibit No. 2).

Chairman Lynch ruled that the amendments include "fees" instead of "charges."

On a voice vote, the Committee voted unanimously to accept Senator Keating's amendments.

Senator Keating made a motion that Senate Bill 409 Do Pass As Amended. On a voice vote, the Committee voted that Senate Bill 409 DO PASS AS AMENDED.

Senator Keating moved that the Statement of Intent be adopted and attached. (Exhibit No. 3) On the Statement of Intent, "fees" was changed to "charges." On a voice vote, the Statement of Intent was adopted and attached.

EXECUTIVE ACTION ON SENATE BILL 440: Senator Manning made a motion to accept the amendments offered by the committee. (Exhibit No. 4) On a voice vote the Committee voted to accept the amendments.

STANDING COMMITTEE REPORT

February 22 19 83

MR. PRESIDENT

We, your committee on LABOR AND EMPLOYMENT RELATIONS

having had under consideration SENATE BILL No. 409

first reading copy (white color)

WORKERS' COMPENSATION MEDICAL EXAMS AND EXPENSES

Respectfully report as follows: That SENATE BILL No. 409

1. Page 3, line 16.
Following: "chiropractic,"
Strike: "hospital,"

2. Page 3, line 18.
Following: line 17
Insert: ", excluding hospital services,"

3. Page 3, line 24.
Following: "chiropractic,"
Strike: "hospital,"

4. Page 4, line 1.
Following: "specialties"
Strike: "of medical charges"
Insert: ". Medical fees must be based on the median fees"

(continued)

~~XXXXX~~

~~XXXXXXXXX~~

SENATOR J.D. LYNCH Chairman

February 22 19 85

SB 409

5. Page 4, line 3.
Following: "schedule."
Insert: "The division shall adopt rules establishing relative unit values, groups of specialties, the procedures insurers must use to pay for services under the schedule, and the method of determining the median of billed medical fees. These rules shall be modeled on the 1974 revision of the 1969 California Relative Value Studies."

AND AS AMENDED

DO PASS

STATEMENT OF INTENT ADOPTED AND ATTACHED

SENATOR J.D. LYNCH

February 22, 1985

MR. PRESIDENT,

WE, YOUR COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS HAVING UNDER CONSIDERATION SENATE BILL NO. 409, ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT

SENATE BILL 409

It is the intention of the legislature that the workers' compensation division publish an annual fee schedule which insurers must use to pay for medical, chiropractic, and paramedical services provided for in the Workers' Compensation and Occupational Disease Acts. The fee schedule is to be modeled on the 1974 revision of the 1969 California Relative Value Studies. The rules must establish the relative unit values, groups of specialties, and the payment procedures used in the California study unless the division has information and data that will allow a reliable adaptation of the California study to current Montana practice related to the care of occupationally injured or diseased workers. The rules should also define the method the division will use to annually determine the median of billed fees.

Representative Driscoll asked Gary Blewett if a carrier is hurt while on the job, must he hire an attorney and prove he is an employee prior to receiving benefits. Mr. Blewett stated this was correct if the employer has not designated him as an employee.

Representative Brown asked Mike Malloy if he knew if a carrier was an employee or independent contractor. Mr. Malloy stated they are an independent contractor and they do sign a contract.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on Senate Bill 356 was closed.

SENATE BILL 409: Hearing commenced on Senate Bill 409. Senator Bill Farrell, District #31, sponsor of the bill, explained this provides for examination by a panel of physicians by a Worker's Compensation claimant at the request of the employer. Senator Farrell supplied written testimony which is attached hereto as Exhibit 2.

Proponent George Wood, Executive Secretary, Montana Self Insurers Association, explained this will allow a panel of physicians to examine and will only require one examination.

Proponent Keith Olson, Executive Director, Montana Logging Association, stated the Montana workers compensation laws are for the benefit of Montana employers and employees. This will help to get stability and control in the workers compensation rates.

Proponent Gary Blewett, Administrator, Workers Compensation Division, Department of Labor and Industry, stated that from an administration standpoint, current law is difficult to administer. They are not able to achieve the twice a year standards and the 90th percentile is statistically difficult to do.

Opponent Karl Englund, representing the Montana Trial Lawyers Association, stated there is no problem with having a realistic value fee schedule or with having a panel to exam. The cost containment provision for medical payments is difficult to find a physician to work with a workers comp patient. This will cause more problems for the claimant. Putting restriction on what a physician can charge will limit the physicians available for quality care.

Opponent Vince Burns, a worker who was injured in a horse accident in 1981, explained that doctors are reluctant to deal with workers compensation patients, due to possible court appearances and the paper work invloved. The ability to get first rate care is sometimes impossible.

In closing, Senator Farrell, stated he thought the problems of the physicians and the injured were solved.

Representative Kadas asked Gary Blewett why the move from the 90th percentile to the median is taking place, the reason for said move and how much of a reduction this will show. Mr. Blewett explained that this is not being done at the divisions request, that this will reduce the amount that has to be paid and that when the 90th percentile is in effect, there is a shift of about 28% of the workers comp payments.

Representative Kadas asked George Wood the same question. Mr. Wood stated the fee schedule provides for an adjustment in rates to the median. The 90th percentile change showed a 30 - 40% change in median costs.

Representative Kadas asked George Wood if he believes there will be a problem with finding a doctor. Mr. Wood stated that no, there has always been a median and the availability of services is widespread.

Representative Kadas asked Vince Burns if he sees a problem with the panel. Mr. Burns stated this is a good idea as he was examined by numerous physicians.

Representative Brandewie asked Gary Blewett if there is a wide variation of doctor bills received, which was answered yes.

Representative Hansen asked Gary Blewett how the median rate is arrived at. Mr. Blewett explained that you count half way up the bills to arrive at the figure.

There being no further discussion by proponents and opponents, all were excused by the chairman and the hearing on Senate Bill 409 was closed.

SENATE BILL 447: Hearing commenced on Senate Bill 447. Senator Richard E. (Dick) Manning, District #18, sponsor of the bill, by request of the Department of Labor and Industry, explained this bill provides that after 13 weeks of unemployment suitable work is work that offers 75% of the individual's

Exhibit 2
3/22/85
SB409
Submitted by: Senator Farrell

SENATE BILL 409

THIS BILL CLARIFIES THE STATUTE REGARDING THE EXAMINATION OF INJURED WORKERS BY A PHYSICIAN TO DETERMINE THEIR PHYSICAL CONDITION AND ABILITY TO WORK.

OFTEN THE INJURED WORKERS' INJURIES ARE SUCH THAT EXAMINATION AND TREATMENT REQUIRES THE SERVICES OF PHYSICIANS IN MORE THAN ONE MEDICAL SPECIALTY. AS A RESULT, MULTIPLE EXAMINATIONS ARE REQUIRED. THIS RESULTS IN INCREASED COSTS TO THE EMPLOYER AND ADDED INCONVENIENCE TO THE INJURED WORKERS. IT ALSO MAY RESULT IN DELAY IN DETERMINING DEFINITIVE TREATMENT.

TO AVOID THESE PROBLEMS, EXAMINATION BY A PANEL OF PHYSICIANS IS NEEDED.

THE PANEL IS ADMINISTERED BY A PHYSICIAN-ADMINISTRATOR. REQUESTS FOR EXAMINATION DATES ARE MADE TO THE PHYSICIAN-ADMINISTRATOR WHO RECEIVES THE WORKERS' MEDICAL RECORDS. HE DETERMINES THE TIMELINESS AND APPROPRIATENESS OF THE EXAMINATION. HE THEN CHOOSES THE PANEL MEMBERS AND SCHEDULES THE EXAMINATION. THE COST OF THE PANEL AND INJURED WORKERS' EXPENSES ARE PAID BY THE INSURER. THE PANEL, AFTER EXAMINATION, PROVIDES A CONSENSUS REPORT GIVING THE INJURED WORKERS' CONDITION; ADVICE REGARDING NEEDED TREATMENT; ABILITY TO WORK; NEED FOR VOCATIONAL REHABILITATION: AND AN EVALUATION OF PERMANENT IMPAIRMENT, IF INDICATED.

AS AN EXAMPLE, THE MISSOULA PANEL'S PHYSICIAN-ADMINISTRATOR IS A NEUROLOGIST. THE PANEL MEMBERS TYPICALLY INCLUDE A NEUROSURGEON,

AN ORTHOPEDIST AND A VOCATIONAL REHABILITATION SPECIALIST. DEPENDING ON THE INJURED WORKERS' CONDITION, THE PHYSICIAN-ADMINISTRATOR MAY INCLUDE ON THE PANEL SPECIALISTS IN INTERNAL MEDICINE, CARDIOLOGY, PULMONARY SPECIALISTS, PSYCHOLOGISTS OR PSYCHIATRISTS OR ANY OTHER SPECIALTY HE FEELS NECESSARY. THE USE OF THE PANEL IS A WORTHWHILE ADDITION TO THE MEDICAL FACILITIES AVAILABLE TO THE INJURED WORKER AND THE EMPLOYER.

THE BILL ALSO PROVIDES FOR THE ADOPTION OF A RELATIVE VALUE FEE SCHEDULE FOR PAYMENTS OF MEDICAL FEES WHICH WOULD CHANGE ANNUALLY.

THE RELATIVE VALUE FEE SCHEDULE PROVIDES UNIT VALUES FOR MEDICAL PROCEDURES WHICH VARY WITH THE DIFFICULTY OF THE PROCEDURE. THE UNIT VALUE REMAINS CONSTANT. THE MAXIMUM FEE PAID FOR THE MEDICAL SERVICES IS CHANGED BY CHANGING THE AMOUNT OF A CONVERSION FACTOR. THIS TYPE OF FEE SCHEDULE WAS USED IN MONTANA FOR MANY YEARS.

THE BILL ALSO CHANGES THE METHOD OF COMPUTING THE CONVERSION FACTOR. THE PRESENT FEE SCHEDULE PROVIDES FOR PAYMENT OF FEES AT THE 90th PERCENTILE. THAT IS, THE FEE SCHEDULES MAXIMUM AMOUNT FOR A PROCEDURE, IF BILLED TEN TIMES AT VARIED AMOUNTS, WOULD BE SET AT A FIGURE WITH ONE CHARGE GREATER AND EIGHT CHARGES LESS THAN MAXIMUM FEE SCHEDULE AMOUNT. THE FEE SCHEDULE MAXIMUM WOULD AUTOMATICALLY INCREASE IF THE DOCTORS FEES ARE GREATER THAN THE MAXIMUM AMOUNT SET IN THE FEE SCHEDULE.

THE CHANGE PROVIDES FOR SETTING OF THE MAXIMUM FEE SCHEDULE AMOUNT AT THE MEDIAN FEES BILLED TO THE STATE FUND. THAT IS, THE MAXIMUM FEE SCHEDULE AMOUNT WOULD BE THAT FEE WHICH WAS BILLED BY MOST DOCTORS FOR THE PROCEDURE.

I WOULD URGE THIS COMMITTEE TO REPORT SENATE BILL 402. DO PASS.

with Representatives Hansen, Kadas and Nisbet voting no. Senate Bill 208 will BE CONCURRED IN with Representatives Ellerd, Hansen and Thomas voting no. Representative Simon moved to reconsider action on Senate Bill 208. The motion did carry with Representatives Ellerd, McCormick, Nisbet, Thomas and Glaser voting no. Representative Schultz suggested the bill be left in its original form and moved to strip all previous amendments. The motion did carry with Representatives Ellerd, Hansen and Thomas voting no. Senate Bill 208 will BE CONCURRED IN with Representatives Ellerd, Hansen and Thomas voting no.

ACTION ON SENATE BILL 399: Representative Brandewie moved DO PASS on Senate Bill 399. Representative Glaser moved the amendment proposed. The motion did fail with a voice vote being taken. Senate Bill 399 will BE CONCURRED IN with Representatives Keller, Jones, Glaser and Ellerd voting no.

ACTION ON SENATE BILL 402: Representative Driscoll moved DO PASS on Senate Bill 402. Representative Kitselman moved the amendments which did pass by unanimous vote. Senate Bill 402 will BE CONCURRED IN AS AMENDED by unanimous vote.

ACTION ON SENATE BILL 447: Representative Driscoll moved DO PASS on Senate Bill 447 and added this is a federal requirement. Second was received, Senate Bill 447 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 409: Representative Thomas moved DO PASS on Senate Bill 409. Representative Kadas moved to amend on page 3, line 19, to reinsert the stricken language as this is fairer to those injured. Representative Kadas then withdrew his motion. Senate Bill 409 will BE CONCURRED IN with all but Representative Kadas voting yes.

ACTION ON SENATE BILL 440: Representative Driscoll moved DO PASS on Senate Bill 440 and moved the amendment as proposed by the Department of Labor. Representative Thomas stated this takes away from the intent of the bill. Representative Kadas stated the department has the authority to check out self insureds and this does not fall under the title of the bill. Representative Schultz added this will effect those already insured. A voice vote defeated Representative Thomas' motion. Senate Bill 440 will BE CONCURRED IN by unanimous vote.

March 28 19 85

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 409

third reading copy (blue color)

WORKERS' COMPENSATION MEDICAL EXAMS AND EXPENSES

Respectfully report as follows: That SENATE Bill No. 409

~~DO PASS~~
BE CONCURRED IN

Rep. Bob Pavlovich, Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY